

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of remarks and amendments herewith.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 2-22 and 28-50-17 are pending. Claims 28 and 29, which are independent, are hereby amended. No new matter has been added. Support for this amendment is provided throughout the Specification as originally filed and specifically on Fig. 3A. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. CLAIM TO PRIORITY

In response to the comments regarding the claim to priority, Applicant submits that the present application is a Continuation of U.S. Serial No. 09/213,434, now U.S. Patent No. 6,850,279, filed December 17, 1998, which is derived from PCT/DK97/00261, filed June 17, 1997, which claims the benefit of Denmark 0676/96 filed June 18, 1996. Therefore, the present application has an effective filing date of June 18, 1996.

III. SPECIFICATION

The Abstract is hereby amended and the Specification has been amended to insert the patent number of the parent application 09/213,434.

IV. RESPONSE TO DOUBLE PATENTING REJECTION

In response to the Double Patenting rejection, Applicant submits herewith a Terminal Disclaimer and fee, thereby obviating the Double Patenting rejection.

V. REJECTIONS UNDER 35 U.S.C. §102 and §103

Claims 2-7, 11-19, 22, 28-35, 39-47 and 50 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,498,624 B1 to Ogura et al. (hereinafter, merely "Ogura").

Claims 20, 21, 48 and 49 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Ogura.

VI. RESPONSE TO REJECTIONS

Claim 28 recites, *inter alia*:

"...a back lens group having a second optical axis,

wherein a lens in the back lens group, which is closest to the front lens group, is positioned at the cut off portion of front lens group..." (Emphasis added)

As understood by Applicant, Ogura relates to an optical apparatus and image sensing apparatus which sense an object image by using a solid-state image sensing element.

Applicant submits that Ogura fails to teach or disclose the above discussed feature of claim 28. Specifically, Ogura fails to teach or suggest a lens in the back lens group, which is closest to the front lens group, is positioned at the cut off portion of front lens group, as recited in claim 28.

Specifically, the Office Action relies on Ogura to describe a prism-like optical member G2 as the back lens group. However, Applicant submits that in the Ogura system the optical members G1, G2 and G3 are fixed to the board 1 as shown in Fig. 1. In the present invention, as shown in Fig. 3A, the back lens group 22 is a collective member made out of four elements, and **the first lens on the left side, which is closest to the lens group 21, is positioned at the cut off portion of front lens group 21**, so that the thin-model device is realized. Thus, in Ogura the optical member G2 does not have this feature. Consequently, nothing has been found in Ogura that would teach a lens in the back lens group, which is closest to the front lens group, is positioned at the cut off portion of front lens group, as recited in claim 28.

Therefore, Applicant respectfully submits Ogura fails to teach or suggest a lens in the back lens group, which is closest to the front lens group, is positioned at the cut off portion of front lens group, as recited in claim 28.

Therefore, Applicant respectfully submits that claim 28 is patentable.

For reasons similar to those described above with regard to independent claim 28, the independent claim 29 is also patentable.

VII. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicant maintains that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments.

CONCLUSION


In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests reconsideration and early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By 
William S. Frommer
Reg. No. 25,506
(212) 588-0800